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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,979	06/04/2001	Gerald f. Hermann	LUM-100-A-PC	8056

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EXAMINER

EDMONDSON, LYNNE RENEE

ART UNIT

PAPER NUMBER

1725

DATE MAILED: 06/23/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/786,979

Applicant(s)

HERMANN ET AL.

Examiner

Lynne Edmondson

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 31-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-36 and 41-55 is/are allowed.
- 6) ☒ Claim(s) 37-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 38 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Akeel et al. (USPN 4892992).

Akeel teaches a robotic laser device comprising a laser head mounted to a robot (10), the head having a telescopable housing and gas (air) tube with a nozzle (col 5 line 65 – col 6 line 33). The device comprises moveable receiving optics including moveable mirrors and focal lenses for adjusting the path of the light (col 6 lines 45-65 and col 7 lines 29-31). See also Akeel claims 1-3, 8-12 and 16-24.

2. Claims 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Coulter (USPN 4578554).

Coulter teaches a robotic laser device comprising a laser head mounted to a robot (10), the head having a telescopable housing and gas tube with a nozzle (col 3 lines 5-28 and figure 1). The device comprises moveable receiving optics including fiber optics (col 4 lines 38-63) moveable mirrors and focal lenses for adjusting the path of the light (col 3 lines 47-61 and figure 2). See also Coulter claims 1-10 and 15.

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3. Claims 38-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Sasnett (USPN 4760583).

Sasnett teaches a robotic laser device comprising a laser head mounted to a robot, the head having a telescopable housing (154) and gas tube with a nozzle (figure 11). The device comprises moveable receiving optics including moveable mirrors and focal lenses for adjusting the path of the light (col 10 lines 1-64). The receiving optic (mirror) is translatably supported and pivotally supported in the light path (col 37-47 and figures 13-14). See also Sasnett claims 1-6.

4. Claims 38-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Rando et al. (GB 2153785 A).

Rando teaches a robotic laser device comprising a laser head mounted to a robot, the head having a telescopable housing and gas tube with a nozzle (figure 2, page 1 lines 15-21, page 3 lines 44-52 and lines 66-96). The device comprises moveable receiving optics including moveable mirrors and focal lenses for adjusting the path of the light (figures 3-8, and figure 20, page 2 lines 26-46 and page 4 lines 74-113). See also Rando claims 1-4, 7-9 and 11.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

***Allowable Subject Matter***

6. Claims 31-36 and 41-55 are allowed.
7. The following is an examiner's statement of reasons for allowance: The closest prior art teaches the invention essentially as claimed but does not teach a step or means for sensing and determining the method of crash detection, particularly the type of alarm or signal generated. Typically the signal is electronic. See Mushabac (USPN 5347454), Thomas (USPN 4855565) and Britnell (USPN 5961858).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schmidt et al. (USPN 5428280) and Slocum (USPN 4676002).
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynne Edmondson whose telephone number is (703) 306-5699. The examiner can normally be reached on Monday through Thursday from 6:30 a.m. to 5 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (703) 308-3318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-7115 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.

Lynne Edmondson  
Examiner  
Art Unit 1725

 6/17/03

LRE  
June 17, 2003